

Terminal Disclaimer To Obviate A Double
Patenting Rejection Over A Prior Patent

Docket No.
P-576 (TI-0022)

In Re Application Of: Huber et al.



Serial No.
09/770,410

Filing Date
January 25, 2001

Examiner
Ernest G. Therkorn

Group Art Unit
1723

Invention: **METHOD AND APPARATUS FOR SEPARATING POLYNUCLEOTIDES USING MONOLITHIC CAPILLARY COLUMNS**

Owner of Record: Transgenomic, Inc.

TO THE COMMISSIONER FOR PATENTS:

The above-identified owner of record of a 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,521,123. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors and/or assigns.

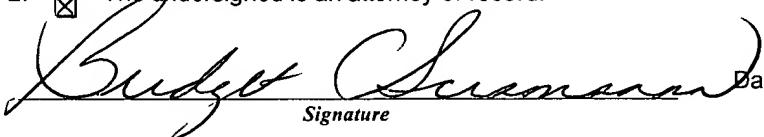
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Check either box 1 or 2 below, if appropriate.

1. For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. The undersigned is an attorney of record.


Signature

Dated: March 25, 2004

03/29/2004 EAREGAY1 00000009 501619 09770410

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Bridget C. Sciamanna

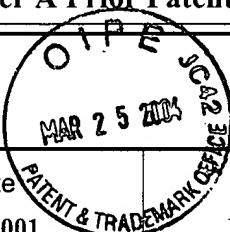
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Terminal disclaimer fee under 37 C.F.R. 1.20(d) included.
 PTO suggested wording for terminal disclaimer was unchanged.
 Certification under 37 C.F.R. 3.73(b) is required if terminal disclaimer is signed by the assignee.

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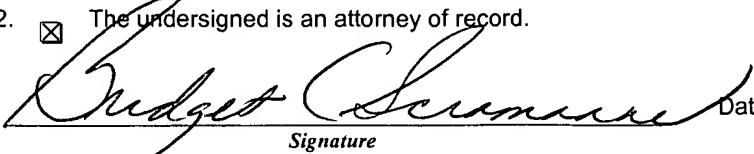
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